

## PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

DAVIES, Gregory, Mark  
Urquhart-Dykes & Lord  
Alexandra House  
Alexandra Road  
Swansea SA1 5ED  
ROYAUME-UNI

Date of mailing (day/month/year) 24 July 2001 (24.07.01)	
Applicant's or agent's file reference P79666WO	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/GB00/02171	International filing date (day/month/year) 05 June 2000 (05.06.00)

1. The following indications appeared on record concerning:				
<input checked="" type="checkbox"/> the applicant <input type="checkbox"/> the inventor <input type="checkbox"/> the agent <input type="checkbox"/> the common representative				
Name and Address SLS PHOTONICS LIMITED Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli, Carmarthenshire SA14 8QG United Kingdom	State of Nationality		State of Residence	
	GB		GB	
	Telephone No.			
	Facsimile No.			
Name and Address ICN PHOTONICS LIMITED Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli Carmarthenshire SA14 8QG United Kingdom	State of Nationality		State of Residence	
	GB		GB	
	Telephone No.			
	Facsimile No.			
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:				
<input type="checkbox"/> the person <input checked="" type="checkbox"/> the name <input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence				
Name and Address ICN PHOTONICS LIMITED Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli Carmarthenshire SA14 8QG United Kingdom	State of Nationality		State of Residence	
	GB		GB	
	Telephone No.			
	Facsimile No.			
3. Further observations, if necessary:				
4. A copy of this notification has been sent to:				
<input checked="" type="checkbox"/> the receiving Office <input type="checkbox"/> the International Searching Authority <input checked="" type="checkbox"/> the International Preliminary Examining Authority		<input checked="" type="checkbox"/> the designated Offices concerned <input type="checkbox"/> the elected Offices concerned <input type="checkbox"/> other:		

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No.: (41-22) 740.14.35	Authorized officer  HA Ki-Nam  Telephone No.: (41-22) 338.83.38
---	---

## PARVENT COOPERATION TREATY

PCT

**NOTIFICATION OF ELECTION**  
**(PCT Rule 61.2)**

<b>Date of mailing (day/month/year)</b> 09 February 2001 (09.02.01)	<b>ETATS-UNIS D'AMERIQUE</b> in its capacity as elected Office
<b>International application No.</b> PCT/GB00/02171	<b>Applicant's or agent's file reference</b> P79666WO
<b>International filing date (day/month/year)</b> 05 June 2000 (05.06.00)	<b>Priority date (day/month/year)</b> 04 June 1999 (04.06.99)
<b>Applicant</b>	
KIERNAN, Michael, Noel et al	

**1. The designated Office is hereby notified of its election made:**

in the demand filed with the International Preliminary Examining Authority on:

04 January 2001 (04.01.01)

in a notice effecting later election filed with the International Bureau on:

2. The election  was  
 was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<p><b>The International Bureau of WIPO</b> <b>34, chemin des Colombettes</b> <b>1211 Geneva 20, Switzerland</b></p>	<p><b>Authorized officer</b></p>
	<p><b>Olivia TEFY</b></p>
<p>Facsimile No.: (41-22) 740.14.35</p>	<p>Telephone No.: (41-22) 338.83.38</p>

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P79666WO	<b>FOR FURTHER ACTION</b>		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB00/02171	International filing date (day/month/year) 05/06/2000	Priority date (day/month/year) 04/06/1999	
International Patent Classification (IPC) or national classification and IPC A61N5/06			
<p>Applicant  <del>SLS BIOPHILE LIMITED</del> et al. <i>SiCN Photonics Limited</i></p> <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input checked="" type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul>			

Date of submission of the demand 04/01/2001	Date of completion of this report 03.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Held, G Telephone No. +49 89 2399 2248



# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02171

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-10 as originally filed

### Claims, No.:

1-27 as originally filed

### Drawings, sheets:

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description,      pages:
- the claims,      Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02171

the drawings,      sheets:

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):  
*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

### III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

the entire international application.

claims Nos. 1 - 20.

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos. 1 - 20.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.

the computer readable form has not been furnished or does not comply with the standard.

### V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

#### 1. Statement

Novelty (N)      Yes:      Claims

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/02171

No: Claims 21 - 27

Inventive step (IS) Yes: Claims  
No: Claims 21 - 27

Industrial applicability (IA) Yes: Claims 21 - 26  
No: Claims 27

2. Citations and explanations  
see separate sheet

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:  
see separate sheet

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/02171

**1. Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following document:

D1: WO-A-98/24 512

1.1 The document D1 discloses (the references in parentheses applying to this document):

An apparatus for use in stimulating collagen containing structures comprising a source of illuminating radiation and means for directing the illuminating radiation to a target site (Fig. 3 and page 5, paragraph 4).

Document D1 discloses all features of the subject-matter of independent claim 21.

Thus, claim 21 does not fulfill the requirements of Article 33(2) PCT.

1.2 Dependent claims 22 - 26 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows:

claim 22

The document D1 discloses focussing means (page 8, lines 10 - 15) and an emitter portion through which the radiation is emitted (Fig 3).

claims 23, 24

The means for directing the illuminating radiation are manually as well as automatically controllable (page 5, paragraph 4).

claim 25

The additional feature is anticipated by document D1 which shows a pulsed radiation wherein the pulse duration is 200 µs to 1 ms (page 6, paragraph 6).

claim 26

Scanning means are disclosed in document D1 (Fig. 3 and page 8, lines 10 - 16).

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/GB00/02171

1.3 Claim 27 defines a beam of illuminating radiation. Such a beam is not a matter but rather a physical effect which does not comprise the features immanent to a device or an apparatus. Thus, the subject-matter of claim 27 is not applicable in the sense of Article 33(4) PCT. Moreover, the subject-matter of claim 27 is not novel (Article 33(2) PCT) as the features of said beam are disclosed in document D1 (page 6, last paragraph).

**2. Re Item VII**

**Certain defects in the international application**

2.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 should have been mentioned in the description.

2.2 The independent claim 21 should have been drafted in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would have been appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

2.3 The features of the claims should have been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

# INTERNATIONAL SEARCH REPORT

Intern. Application No  
PCT/GB 00/02171

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61N A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 38933 A (NEW STAR LASERS INC) 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31 ---	21-23,25
X	US 5 810 801 A (MCMILLAN KATHLEEN ET AL) 22 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45 ---	21-24,27
X	WO 98 24512 A (CLEMENT ROBERT MARC ;GEORGE DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2 ---	21-27

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

15 September 2000

22/09/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.  
Fax: (+31-70) 340-3016

Authorized officer

Petter, E

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/02171

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 763 371 A (ESC MEDICAL SYSTEMS LTD) 19 March 1997 (1997-03-19) column 2, line 52 - line 59 column 4, line 30 - line 39 ---	21-23, 25
X	US 5 196 005 A (NARCISO JR HUGH L ET AL) 23 March 1993 (1993-03-23) abstract ---	21, 22
X	DE 42 12 393 A (MORITA MFG) 10 December 1992 (1992-12-10) abstract -----	21, 22

## INTERNATIONAL SEARCH REPORT

Interr. Appl. No.

PCT/GB 00/02171

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9838933	A 11-09-1998	AU 2580897	A	22-09-1998
US 5810801	A 22-09-1998	EP 1011811	A	28-06-2000
		WO 9833558	A	06-08-1998
WO 9824512	A 11-06-1998	AU 5402798	A	29-06-1998
EP 0763371	A 19-03-1997	US 5964749	A	12-10-1999
		AU 6431096	A	20-03-1997
		CA 2185196	A	16-03-1997
		JP 9103507	A	22-04-1997
US 5196005	A 23-03-1993	US 5330465	A	19-07-1994
DE 4212393	A 10-12-1992	NONE		

## PENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>P79666W0</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/GB 00/02171</b>	International filing date (day/month/year) <b>05/06/2000</b>	(Earliest) Priority Date (day/month/year) <b>04/06/1999</b>
Applicant <b>SLS BIOPHILE LIMITED et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  Certain claims were found unsearchable (See Box I).

3.  Unity of invention is lacking (see Box II).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:  
**TISSUE REJUVENATION BY ILLUMINATING RADIATION**

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

1

None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/GB 00/02171A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 A61N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61N A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category <sup>°</sup>	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X ✓	WO 98 38933 A (NEW STAR LASERS INC) 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31 ---	21-23, 25
X ✓	US 5 810 801 A (MCMILLAN KATHLEEN ET AL) 22 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45 ---	21-24, 27
X ✓	WO 98 24512 A (CLEMENT ROBERT MARC ;GEORGE DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2 ---	21-27 -/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## ° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason ( as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

15 September 2000

Date of mailing of the international search report

22/09/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Petter, E

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/02171

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

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X ✓	DE 42 12 393 A (MORITA MFG) 10 December 1992 (1992-12-10) abstract -----	21, 22

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/GB 00/02171

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9838933 A	11-09-1998	AU	2580897 A	22-09-1998
US 5810801 A	22-09-1998	EP	1011811 A	28-06-2000
		WO	9833558 A	06-08-1998
WO 9824512 A	11-06-1998	AU	5402798 A	29-06-1998
EP 0763371 A	19-03-1997	US	5964749 A	12-10-1999
		AU	6431096 A	20-03-1997
		CA	2185196 A	16-03-1997
		JP	9103507 A	22-04-1997
US 5196005 A	23-03-1993	US	5330465 A	19-07-1994
DE 4212393 A	10-12-1992	NONE		

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P79666WO		<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB00/02171		International filing date (day/month/year) 05/06/2000	Priority date (day/month/year) 04/06/1999
International Patent Classification (IPC) or national classification and IPC A61N5/06			
Applicant SLS BIOPHILE LIMITED et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input checked="" type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul>			
Date of submission of the demand 04/01/2001		Date of completion of this report 03.07.2001	
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		<p>Authorized officer Held, G</p> <p>Telephone No. +49 89 2399 2248</p> 	

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/02171

**I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-10 as originally filed

**Claims, No.:**

1-27 as originally filed

**Drawings, sheets:**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
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- furnished subsequently to this Authority in computer readable form.
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- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description,      pages:
- the claims,      Nos.:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/02171

the drawings,      sheets:

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c));  
*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

the entire international application.

claims Nos. 1 - 20.

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos. 1 - 20.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.

the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)      Yes:      Claims

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB00/02171

No: Claims 21 - 27

Inventive step (IS) Yes: Claims  
No: Claims 21 - 27

Industrial applicability (IA) Yes: Claims 21 - 26  
No: Claims 27

2. Citations and explanations  
see separate sheet

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:  
see separate sheet

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/02171

**1. Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following document:

D1: WO-A-98/24 512

1.1 The document D1 discloses (the references in parentheses applying to this document):

An apparatus for use in stimulating collagen containing structures comprising a source of illuminating radiation and means for directing the illuminating radiation to a target site (Fig. 3 and page 5, paragraph 4).

Document D1 discloses all features of the subject-matter of independent claim 21.

Thus, claim 21 does not fulfill the requirements of Article 33(2) PCT.

1.2 Dependent claims 22 - 26 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows:

claim 22

The document D1 discloses focussing means (page 8, lines 10 - 15) and an emitter portion through which the radiation is emitted (Fig 3).

claims 23, 24

The means for directing the illuminating radiation are manually as well as automatically controllable (page 5, paragraph 4).

claim 25

The additional feature is anticipated by document D1 which shows a pulsed radiation wherein the pulse duration is 200 µs to 1 ms (page 6, paragraph 6).

claim 26

Scanning means are disclosed in document D1 (Fig. 3 and page 8, lines 10 - 16).

1.3 Claim 27 defines a beam of illuminating radiation. Such a beam is not a matter but rather a physical effect which does not comprise the features immanent to a device or an apparatus. Thus, the subject-matter of claim 27 is not applicable in the sense of Article 33(4) PCT. Moreover, the subject-matter of claim 27 is not novel (Article 33(2) PCT) as the features of said beam are disclosed in document D1 (page 6, last paragraph).

**2. Re Item VII**

**Certain defects in the international application**

2.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 should have been mentioned in the description.

2.2 The independent claim 21 should have been drafted in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would have been appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

2.3 The features of the claims should have been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

## INTERNATIONAL SEARCH REPORT

Inten  
plication No  
PCT/GB 00/02171A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 A61N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61N A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 38933 A (NEW STAR LASERS INC) 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31 ---	21-23,25
X	US 5 810 801 A (MCMILLAN KATHLEEN ET AL) 22 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45 ---	21-24,27
X	WO 98 24512 A (CLEMENT ROBERT MARC ;GEORGE DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2 ---	21-27
	-/-	

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

Date of the actual completion of the international search

15 September 2000

Date of mailing of the international search report

22/09/2000

Name and mailing address of the ISA

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Authorized officer

Petter, E

## INTERNATIONAL SEARCH REPORT

Internatinal Application No  
PCT/GB 00/02171

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 763 371 A (ESC MEDICAL SYSTEMS LTD) 19 March 1997 (1997-03-19) column 2, line 52 - line 59 column 4, line 30 - line 39 -----	21-23,25
X	US 5 196 005 A (NARCISO JR HUGH L ET AL) 23 March 1993 (1993-03-23) abstract -----	21,22
X	DE 42 12 393 A (MORITA MFG) 10 December 1992 (1992-12-10) abstract -----	21,22

## INTERNATIONAL SEARCH REPORT

Internat	Application No
PCT/GB 00/02171	

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 9838933	A	11-09-1998	AU	2580897 A		22-09-1998
US 5810801	A	22-09-1998	EP	1011811 A		28-06-2000
			WO	9833558 A		06-08-1998
WO 9824512	A	11-06-1998	AU	5402798 A		29-06-1998
EP 0763371	A	19-03-1997	US	5964749 A		12-10-1999
			AU	6431096 A		20-03-1997
			CA	2185196 A		16-03-1997
			JP	9103507 A		22-04-1997
US 5196005	A	23-03-1993	US	5330465 A		19-07-1994
DE 4212393	A	10-12-1992		NONE		

RECEIVED ~~PATENT COOPERATION TREATY~~

04 AUG 2001

URQUHART-DYKES &amp; LORD

PCT

SWANSEA  
NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

DAVIES, Gregory, Mark  
Urquhart-Dykes & Lord  
Alexandra House  
Alexandra Road  
Swansea SA1 5ED  
ROYAUME-UNI

OFFICE DIARY	NA
COMUS	CRS

Date of mailing (day/month/year) 24 July 2001 (24.07.01)	
Applicant's or agent's file reference P79666WO	IMPORTANT NOTIFICATION
International application No. PCT/GB00/02171	International filing date (day/month/year) 05 June 2000 (05.06.00)

1. The following indications appeared on record concerning:				
<input checked="" type="checkbox"/> the applicant <input type="checkbox"/> the inventor <input type="checkbox"/> the agent <input type="checkbox"/> the common representative				
Name and Address  SLS PHOTONICS LIMITED Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli, Carmarthenshire SA14 8QG United Kingdom	State of Nationality GB		State of Residence GB	
	Telephone No.			
	Facsimile No.			
	Teleprinter No.			
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:				
<input type="checkbox"/> the person <input checked="" type="checkbox"/> the name <input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence				
Name and Address  ICN PHOTONICS LIMITED Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli Carmarthenshire SA14 8QG United Kingdom	State of Nationality GB		State of Residence GB	
	Telephone No.			
	Facsimile No.			
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3. Further observations, if necessary:				
4. A copy of this notification has been sent to:				
<input checked="" type="checkbox"/> the receiving Office <input type="checkbox"/> the International Searching Authority <input checked="" type="checkbox"/> the International Preliminary Examining Authority		<input checked="" type="checkbox"/> the designated Offices concerned <input type="checkbox"/> the elected Offices concerned <input type="checkbox"/> other:		

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No.: (41-22) 740.14.35	Authorized officer  HA Ki-Nam  Telephone No.: (41-22) 338.83.38
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